

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

December 11, 2000

D036037 Best Western International, Inc. v. Superior Court of Imperial County/Bell

Let a writ of mandate issue directing the Superior Court of the County of Imperial to vacate the portion of its order of June 28, 2000 denying Best Western's motion for summary judgment against Bell and to enter summary judgment against Bell. The stay issued by this court on August 21, 2000, is vacated. O'Rourke, J.; We Concur: Nares, Acting P.J., McDonald, J.

D035058 People v. Kimble

Judgment affirmed. Huffman, J.; We Concur: Kremer, P.J., O'Rourke, J.

Court convened at 9:00 a.m.

Present: The Honorable Don Work, Acting Presiding Justice, and The Honorable Associate Justices Judith Haller and Alex McDonald
Deputy Clerk: D. E. Moore

D035529 Val Coffee, Inc. v. Maritime Escrow, Inc.

Cause called on merits. Robert Wright Northup, Esq. argued for appellant. Jeffrey M. Skiljan, Esq. argued for respondent. Mr. Northup replied for appellant. Cause submitted.

Court recessed at 9:26 a.m. to change panel members. New panel members: The Honorable Richard Huffman, Acting Presiding Justice, and The Honorable Associate Justices Judith Haller and Alex McDonald

D034268 People v. Green

Cause called on merits. Carmela F. Simoncini, Esq. argued for appellant and submitted additional authorities. Nicki Shaffer, Deputy Attorney General argued for respondent. Ms. Simoncini replied for appellant. Cause submitted.

D034768 Petrouski v. Dixieline Lumber

Cause called on merits. John Rowell, Esq. argued for appellant. Gary L. Jacobsen, Esq. argued for respondent. Mr. Rowell replied for appellant. Cause submitted.

D033741) Brammell v. Ramona Municipal Water District, et al.

D035016) Brammell v. Clark, et al.

Cause called on merits. Robert F. Vaage, Esq. argued for appellant. Neal S. Meyers, Esq. argued for respondent. Mr. Vaage replied for appellant. Cause submitted.

Court recessed at 10:35 a.m. to change panel members. New panel members: The Honorable Richard Huffman, Acting Presiding Justice, and The Honorable Associate Justices Gilbert Nares and Alex McDonald

D036248 South Coast Newspapers, Inc v. Superior Court/D. Steven, et al.-RPI

Matter called on merits. Guylyn R. Cummins, Esq. argued for petitioner. Jo Pastore, Esq. argued for real party in interest, Michael R. Ms. Cummins replied for petitioner. Matter submitted.

COURT OF APPEAL OF STATE OF CALIFORNIA
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DIVISION ONE

December 11, 2000 (Continued)

Court recessed at 11:00 a.m. until 1:30 p.m.

Court reconvened at 1:30 p.m.

Present: The Honorable Daniel Kremer, Presiding Justice, and The Honorable Associate Justices Richard Huffman and Gilbert Nares

D035673) San Diego Hotel Company v. Redevelopment Agency of the City of San Diego

D035570) San Diego Hotel Company v. Redevelopment Agency of the City of San Diego

Cause called on merits. Donald Wayne Brechtel, Esq. argued for appellant. Francis M. Devaney, Deputy City Attorney argued for respondent, Redevelopment Agency and etc. Christopher Garrett, Esq. argued for respondent, San Diego Padres and etc. Theresa C. McAteer, Deputy City Attorney argued for respondent, Redevelopment Agency and etc. Mr. Brechtel replied. Cause submitted.

Court recessed at 2:30 p.m. to change panel members. New panel members: The Honorable Daniel Kremer, Presiding Justice, and The Honorable Associate Justices Richard Huffman and Alex McDonald

D035049 People v. Morelli

Cause called on merits. Joseph Tavano, Esq. argued for appellant. Peter Quon, Deputy Attorney General argued for respondent. Mr. Tavano replied for appellant. Cause submitted.

D035719 Bensoul v. San Diego County Civil Service Commission, et al.

Cause called on merits. Rick Pinckard, Esq. argued for appellant. English R. Bryant, Esq. argued for respondent. Mr. Pinckard replied for appellant. Cause submitted.

D035585) Padres, L.P. v. Dunkl, et al.

D035559) City of San Diego v. Dunkl, et al.

Cause called on merits. Kent C. Wilson, Esq. argued for appellant, Dunkl and etc. James Bruce Henderson, Esq. argued for appellant, Dunkl and etc. Charles Bird, Esq. argued for respondent, City. Kathryn N. Karcher, Esq. argued for respondent, Padres, L.P. Mr. Henderson replied. Cause submitted.

Court recessed at 3:45 p.m. until Tuesday, December 12, 2000 at 9:00 a.m.

D034299 People v. Phillips

The superior court is directed to amend the abstract of judgment to reflect the concurrent sentences for count 4 (pandering by procuring Angela for prostitution) and count 5 (pandering by encouraging Angela to become a prostitute) are stayed and to forward the corrected abstract of judgment to the Department of Corrections. In all other respects the judgment is affirmed. Work, Acting P.J.; We Concur: Huffman, J., McDonald, J.

D035431 Stanford v. Learnard et al.

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 17(a). The appeal is dismissed.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

December 11, 2000 (Continued)

D034002 People v. Beriones

The judgment is affirmed. McIntyre, J.; We Concur: Work, Acting P.J., ORourke, J.

D034491 Baldwin v. Dimensional Insurance Agency

The judgment is reversed and the matter is remanded for further proceedings in accordance with this opinion. Baldwin is awarded her costs of appeal. McIntyre, J.; We Concur: Nares, Acting P.J., O'Rourke, J.

D032891 People v. Robinson et al.

D033160 People v. Cowan

D033164 People v. Richardson

(consolidated) We remand for a recalculation of Cowan's custody credits. In all other respects, we affirm the judgments. Kremer, P.J.; We Concur: Huffman, J., Haller, J.

D035241 Barker v. Civil Service Commission of the County of San Diego et al.

The judgments are affirmed. County is awarded costs on appeal. Work, Acting P.J.; We Concur: McIntyre, J., O'Rourke, J.

**COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE**

December 12, 2000

D035822 Marinkovic v. Marinkovic

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 17(a). The appeal is dismissed.

D036686 Zepeda v. Washington Mutual Bank, et al.

Appellant's motion to vacate dismissal and reinstate appeal is granted. The order of dismissal is vacated and the appeal is reinstated.

The San Diego County Clerk of the Superior Court is directed to accept the corrected designation of the reporter's transcript with the deposit of costs, provided the corrected designation and deposit of costs is presented within ten days from the date of this order.

D036735 In re Samantha S., a Juvenile

The attorney for petitioner David S. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable writ review. The case is dismissed.

D036455 People, v. Guzman

The judgment is affirmed. Huffman, J., We Concur: Benke, Acting P.J., Nares, J.

D034265 People v. Dunn

We reverse the judgment as to Dunn's conviction for grand theft. In all other respects, the judgment is affirmed. The superior court shall amend the abstract of judgment and forward a copy of the amended abstract to the Department of Corrections. O'Rourke, J., We Concur: Nares, Acting P.J., McIntyre, J.

D034514 People v. Melville,

The judgment is affirmed. Huffman, J.; We Concur: Benke, Acting P.J., O'Rourke, J.

D030839 Auxter v. Infinite Possibilities International et al./Flynn, Sheridan, Tabb & Stillman et al.

Order modifying opinion and denying rehearing. (No change in judgment)

D035364 People v. Vanvorous

The judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., Haller, J.

D035979 People v. Garcia

Judgment affirmed. O'Rourke, J.; We Concur: Kremer, P.J., Huffman, J.

D036236 In re Mubarak on Habeas Corpus

The petition is denied.

D035146 People v. Woods

Judgment affirmed. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
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DIVISION ONE

December 12, 2000 (Continued)

The court convened at 9:00 a.m.

Present: The Honorable Patricia Benke, Acting Presiding Justice, and The Honorable Associate Justices Richard Huffman and Gilbert Nares
Deputy Clerk: D. E. Moore

D032128 Dowling v. Zimmerman

D032824 Dowling v. Zimmerman

Cause called on merits. Kevin C. Young, Esq. argued for appellant. James J. Moneer, Esq. argued for respondent. Mr. Young replied for appellant. Cause submitted as to D032128 ONLY.

D032496 People v. Parrison

Cause called on merits. Richard W. Weinthal, Esq. argued for appellant. Mike Murphy, Deputy Attorney General argued for respondent. Cause submitted.

D033869 TCEP II Properties Joint Venture v. Solatrol Inc./Fuess, et al.

Cause called on merits. Robert P. Allenby, Esq. argued for respondent. William Craig Fuess, argued for appellant in pro per. Cause submitted.

Court recessed at 9:45 a.m. to change panel members. New panel members: The Honorable Patricia Benke, Acting Presiding Justice, and The Honorable Associate Justices Gilbert Nares and Alex McDonald

D034347 Berlin, et al. v. Lawyers Title Insurance Corporation, et al.

Cause called on merits. Richard I. Singer, Esq. argued for appellant. M. Steven Andersen, Esq. argued for respondent, Lawyers Title Insurance Corporation etc. Pamela Ewers Wagner, Esq. argued for respondent, Commonwealth Land Title Insurance Co. etc. Jeffrey N. Garland, Esq. argued for respondent, Fidelity National Title Insurance Company etc. Mr. Singer replied for appellant. Cause submitted.

Court recessed at 10:45 a.m. until 1:30 p.m.

Court reconvened at 1:30 p.m.

Present: The Honorable Richard Huffman, Acting Presiding Justice, and The Honorable Associate Justices Gilbert Nares and Judith Haller
Deputy Clerk: D. E. Moore

D033649 People v. Hicks

Cause called on merits. Jonathan Walkey, Esq. argued for appellant. Gil Gonzalez, Deputy Attorney General argued for respondent. Mr. Walkey replied for appellant. Cause submitted.

COURT OF APPEAL OF STATE OF CALIFORNIA
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December 12, 2000 (Continued)

D034718 Colvin v. Pennant Village Homeowners Association

Cause called on merits. Richard R. Leuthold, Esq. argued for appellant. Shirley A. Gauvin, Esq. argued for respondent. Mr. Leuthold replied for appellant. Cause submitted.

D036344 Dawn v. Superior Court/San Diego County Health and Human Services Agency

Matter called on merits. Erica Hirmatsu, Esq. argued for petitioner. Kathryn Krug, Deputy County Counsel argued for respondent. Ms. Hirmatsu replied for petitioner. Matter submitted.

Court recessed at 2:07 p.m. to change panel members. New panel members: The Honorable Daniel Kremer, Presiding Justice, and The Honorable Associate Justices Richard Huffman and Judith Haller

D033133 People v. Kaplan

Cause called on merits. Daniel J. Kessler, Esq. argued for appellant. Holly Hoffman, Deputy Attorney General argued for respondent. Mr. Kessler replied for appellant. Cause submitted.

D034536 People v. McQuery

Cause called on merits. Patrick Morgan Ford, Esq. argued for appellant. Quisteen Shum, Deputy Attorney General argued for respondent and submitted additional authorities. Mr. Ford replied for appellant. Cause submitted.

D030752 Shahhal v. CNA Financial Corporation

Cause called on merits. David B. Sharp, Esq. argued for appellant. Shirley Gauvin, Esq. argued for respondent. Mr. Sharp replied for appellant. Cause submitted.

D036417 McAllister Cadillac, Inc., et al. v. ARA Sevacherian

Cause called on merits. Chris Scali, Esq. argued for appellant. Thomas Anthony Pistone, Esq. argued for respondent. Mr. Scali replied for appellant. Cause submitted.

Court recessed at 3:50 p.m. until Wednesday, December 13, 2000 at 9:00 a.m.

D036710 Hizon v. Superior Court of San Diego County/People

The petition is denied.

D036224 Morrow et al., v. Superior Court of San Diego County/Sullins et al.

The petition is denied.

D035900 Kevin S. et al. v. Richard S.

The order granting the petition to declare Ricky free from Richard's custody and control is affirmed. Kremer, P.J.; We Concur: Benke, J., Huffman, J.

D036981 Gross v. Superior Court of San Diego County/O'Neil

The petition is denied.

D036242 In re Merritt on Habeas Corpus.

The petition is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA
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DIVISION ONE

December 12, 2000 (Continued)

D036292 In re Lyles on Habeas Corpus

The petition is denied.

D036865 Stanley v. Superior Court of San Diego County/People

The petition is denied. The stay issued on November 30, 2000 is vacated. Justice McIntyre would have issued the order to show cause based on the existence of an actual conflict between petitioner and his counsel.

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DIVISION ONE

December 13, 2000

D031688 Huffman v. City of Poway et al.

D032830 Huffman v. City of Poway et al.

The petition for rehearing is denied.

D034890 Damon v. Ocean Hills Journalism Club, et al.

Judgment affirmed. CERTIFIED FOR PARTIAL PUBLICATION. Haller, J.;

We Concur: Kremer, P.J., Huffman, J.

D036858 Marisol et al. v. Superior Court of San Diego County/Lopez

The petition is denied.

D036308 Lamb et al. v. Superior Court of San Diego County/ Chapman University

The petition is denied. The stay previously issued is vacated.

D032100 In re the marriage of Papenthien

The judgment on reserved issues and supplemental judgment on reserved issues are affirmed. Michael is awarded his costs on appeal. McIntrye, J.; We Concur: Huffman, Acting P.J., Haller, J.

D036411 Hackwood v. Orange County Employees Retirement System

Judgment affirmed. Haller, J.; We Concur: Kremer, P.J., Nares, J.

Court convened at 9:00 a.m.

Present: The Honorable Daniel Kremer, Presiding Justice, and The Honorable Associate Justices
Gilbert Nares and Judith Haller

Deputy Clerk: D. E. Moore

D036416 Kimmerle v. Corsi

Cause called on merits. Manfred Adolf Wallner, Esq. argued for appellant. Peter S. Burcat, Esq. argued for respondent. Mr. Wallner replied for appellant. Cause submitted.

D033651 People v. Maldonado, et al.

Cause called on merits. Robert F. Howell, Esq. argued for appellant, Lopez. Kevin C. McLean, Esq. argued for appellant, Lira. Robert E. Boyce, Esq. argued for appellant, Maldonado. Pat Zaharopoulos, Deputy Attorney General argued for respondent. Mr. Howell replied. Mr. McLean replied. Mr. Boyce replied. Cause submitted.

D034522 Smith v. Key, et al.

Cause called on merits. Steven A. Schuman, Esq. argued for appellant. Marc Clement Forsythe, Esq. argued for respondent. Mr. Schuman replied for appellant. Cause submitted.

Court recessed at 10:50 a.m. until 1:30 p.m.

D036178 In re Navarro on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA
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DIVISION ONE

December 13, 2000 (Continued)

D035832 Edenbaum v. Superior Court of San Diego County/Dalton et al.

The petition as amended by the supplement dated November 30, 2000, is denied.

D035806 Kay v. Superior Court of San Diego County/Edenbaum

The petition as amended November 21, 2000, is denied.

D034758 Hale v. Department of Motor Vehicles

The order denying the writ of mandate is reversed and the matter is remanded for the trial court to exercise its independent judgment to determine whether to issue an order reversing the DMV determination to revoke Hale's school bus driver's certificate and consider whether the misrepresentation conviction relates to her ability to drive a school bus. Work, Acting P.J. We Concur: Huffman, J., Haller, J.

D035987 In re Willie T., a Juvenile

The judgment is affirmed. Nares, J. We Concur: Kremer, P.J., Benke, J.

D036294 In re Titiana Melanie L., a Juvenile

Pending disposition of the petition, the Welfare and Institutions Code section 366.26 hearing set for December 19, 2000, is stayed.

D036004 In re Megan N., a Juvenile

Judgment affirmed. McIntyre, J.; We Concur: Kremer, P.J., Nares, J.

D035193 In re Adrian B., et al., Juveniles

The jurisdictional orders are affirmed. The portions of the disposition orders finding detriment in placing the children with Mother are reversed. The portion of the disposition order as to Adrian finding that returning him home would pose a danger to his physical health and that there are no reasonable means by which he could be protected without removal and the portion removing his custody from the parents are reversed. The matter is remanded to redetermine, under section 361, subdivision (c)(1), whether Adrian would be at substantial risk of harm if returned to Father's custody and, if so, whether there are reasonable means by which he could be protected without removal. The disposition orders are otherwise affirmed. Haller, J. We Concur: Kremer, P.J., Huffman, J.

D033244 In re Cesar O., a Juvenile

Judgment affirmed. Haller, J.; We Concur: Huffman, Acting P.J., McIntyre, J.

D036780 In re Rhianna Marie Durland-B., a Juvenile

The attorney for petitioner Bunnie B. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

December 13, 2000 (Continued)

Court reconvened at 1:30 p.m.

Present: The Honorable Patricia Benke, Acting Presiding Justice, and The Honorable Associate Justices James McIntyre and Terry O'Rourke
Deputy Clerk: D. E. Moore

D034658 People v. Smith

Cause called on merits. John F. Guenther, Esq. argued for appellant. Scott Taylor, Deputy Attorney General argued for respondent. Mr. Guenther replied for appellant. Cause submitted.

D035248 Kline v. Turner, et al.

Cause called on merits. J. Michael Vallee, Esq. argued for appellant. Stephen P. Oggel, Esq. argued for respondent. Mr. Vallee replied for appellant. Cause submitted.

D036408 Nguyen v. Wildcat Protections, Inc.

Cause called on merits. Hoyt E. Hart, II, Esq. argued for appellant. Fletcher Carlton Alford, Esq. argued for respondent. David A. Niddrie, Esq. replied for appellant. Cause submitted.

D035061 Medical Evaluation Specialists, Inc. v. Strauss, et al.

Cause called on merits. Scott L. Gilmore, Esq. argued for appellant. Donald A. English, Esq. argued for respondent. Mr. Gilmore replied for appellant. Cause submitted.

D036420 Cutbirth v. American Savings Bank

Cause called on merits. Jennifer Gentin, Esq. argued for appellant. Douglas Lee Weeks, Esq. argued for respondent. Ms. Gentin replied for appellant. Mr. Weeks replied for respondent. The court granted parties permission to file simultaneous letter briefs. Cause to be submitted in 30-days.

Court recessed at 3:45 p.m. to change panel members. New panel members: The Honorable Patricia Benke, Acting Presiding Justice, and The Honorable Associate Justices Alex McDonald and James McIntyre

D034662 Anton v. Olson, et al.

Cause called on merits. Patrick E. Catalano, Esq. argued for appellant. Roger C. Haerr, Esq. argued for respondent. Mr. Catalano replied for appellant. Cause submitted.

Court recessed at 4:30 p.m. until Thursday, December 14, 2000 at 9:00 a.m.

D036841 In re Andrew S., a Juvenile

The attorney for petitioner Victoria S. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

December 13, 2000 (Continued)

**D036988 Sionix Corporation v. Superior Court of San Diego County/ Wenthur &
Chachas et al.**
The petition is denied.

D036965 People v. Dean
The appeal in this matter challenges solely the validity of a plea or admission. Appellant's request for certificate of probable cause having been denied and no appealable issues having been raised in compliance with California Rules of Court, rule 31(d), the appeal is DISMISSED.

D036135 People v. Tyree
Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is DISMISSED and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 38).

D036712 Miller et al., v. Tagle et al.,
The September 15, 2000, order is not an appealable order, the appeal is DISMISSED as to all parties except MTR Development Corporation.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

December 14, 2000

D034132 People v. Williams

The pending petition for writ of habeas corpus, In re Mark Lee Williams, D035713, and the pending petition for writ of mandate, Mark Lee Williams, Petitioner v. The Superior Court in and for the County of San Diego, Respondent; District Attorney for the County of San Diego, Real Party in Interest, D035821, are consolidated with the pending appeal, People v. Mark Lee Williams, D034132, for disposition.

D034132 People v. Williams

D035713 In re Mark Lee Williams on Habeas Corpus

D035821 Williams v. Superior Court of the County of San Diego/People

(consolidated) The judgment is affirmed, and the petition for writ of habeas corpus is denied.

The petition for writ of mandate is granted with directions that the trial court conduct a hearing and make a factual finding as to whether Williams' Glock semiautomatic handgun was used in the commission of the crime. Haller, J.; We Concur: Kremer, P.J., Huffman, J.

D036947 People v. Giordano

The appeal is dismissed.

D036416 Kimmerle v. Corsi

The judgment is affirmed. Each side is to bear its own attorney fees and costs on appeal. Nares, J.; We Concur: Kremer, P.J., Haller, J.

D034931 Abdulmeseh v. Registrar of Contractors of the Contractors' State License Board

The petition for rehearing and the request for publication are denied.

D035631 In re Brandy B., a Juvenile

The jurisdictional orders are affirmed. The dispositional order as to Albert is affirmed. The dispositional order as to Colleen is reversed and the matter is remanded for a new hearing on Colleen's request for self-representation. McIntyre, J.; We Concur: McDonald, Acting P.J., O'Rourke, J.

D034730 People v. Colombo

Judgment affirmed. Huffman, J.; We Concur: Kremer, P.J., O'Rourke, J.

Court convened at 9:00 a.m.

Present: The Honorable Daniel Kremer, Presiding Justice, and The Honorable Associate Justices Patricia Benke and Gilbert Nares
Deputy Clerk: D. E. Moore

D036000 San Diego Trolley, Inc. v. Superior Court/Kinder-RPI

Matter called on merits. Mark Thomas Quigley, Esq. argued for real party in interest. Lee Roistacher, Esq. argued for petitioner. Matter submitted.

COURT OF APPEAL OF STATE OF CALIFORNIA
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December 14, 2000 (Continued)

D036024 People v. Superior Court/Preciado-RPI

Matter called on merits. Michael Ebert, Deputy District Attorney argued for petitioner. Matt Brainer, Esq. argued for real party in interest. Matter submitted.

Court recessed at 9:35 a.m. until 1:30 p.m.

Court reconvened at 1:30 p.m.

Present: The Honorable Patricia Benke, Acting Presiding Justice, and The Honorable Associate Justices James McIntyre and Terry O'Rourke
Deputy Clerk: D. E. Moore

D034948 People v. Weise

Cause called on merits. James Atkins, Deputy District Attorney argued for appellant. David Becker Songco, Esq. argued for appellant. Mr. Atkins replied for appellant. Cause submitted.

D035524 People v. Cooper

Cause called on merits. Josephine Kiernan, Deputy District Attorney argued for appellant. Roberta K. Thyfault, Esq. argued for appellant. Ms. Kiernan replied for appellant. Cause submitted.

D032752 Piscitelli v. Friedenber

Cause called on merits. Peter Abrahams, Esq. argued for appellant/cross-respondent, Friedenber. John Morris, Esq. argued for respondent/cross-appellant, Piscitelli. John Williams, Esq. argued for respondent/ cross-appellant, Piscitelli. Mr. Abrahams replied for appellant/cross-respondent. Mr. Williams replied. Cause submitted.

Court adjourned at 3:50 p.m.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

December 15, 2000

D036934 Leighton v. County of San Diego,

The notice of appeal is deficient because it is not signed by appellant or her counsel. (California Rules of Court, rule 1(a). The appeal is dismissed.

D036776 Leighton v. San Diego Trolley, Inc.

The appeal is dismissed in that the notice of appeal is untimely filed.

D033813 Rodriguez-Lopez v. Chicago Title Insurance Co.,

Judgment affirmed. Work, Acting P.J., We Concur: McIntyre, J., O'Rourke, J.

D035790 In re Jaquane H., a Juvenile

The judgment is affirmed. Haller, J.; We Concur: Kremer, P.J., Benke, J.

D034570 People v. Janise

The abstract of judgment is ordered amended to reflect imposition of both of the restitution fines in the amount of \$250, and the judgment is otherwise affirmed. Huffman, J.; We Concur: Benke, Acting P.J., McDonald, J.

D036941 Purcell Group, Inc. v. Insurance Commissioner of the State of California

Pursuant to California Rules of Court, rule 10(c), the appeal filed November 2, 2000, is dismissed for failure of appellant to timely deposit costs for preparing the record on appeal.

D034189 People v. Roberge

The judgment (order of commitment) is affirmed. CERTIFIED FOR PUBLICATION. Benke, J.; We Concur: Kremer, P.J., O'Rourke, J.

D033071 People v. Carey

The judgment is affirmed as modified. Benke, J.; We Concur: Kremer, P.J., McDonald, J.

D035982 In re Vanessa S., a Juvenile

The selecting adoption as Vanessa's permanent plan and terminating Linda's parental rights is affirmed. Benke, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

D034647 Petar Artukovich Construction Company, Inc. v. City of San Diego

The judgment is affirmed. City is awarded costs on appeal. Benke, Acting P.J.; We Concur: Nares, J., McDonald, J.